

City of Round Rock  
Special Called Work Session and Regular City Council Meeting  
June 25, 2009

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The Round Rock City Council met in a Special Called Work Session on Thursday, June 25, 2009, in the City Council Chamber, 221 E. Main Street.

[CALL WORK SESSION TO ORDER - 6:00 P.M.](#)

Mayor McGraw called the work session to order at 6:05 P.M.

[ROLL CALL](#)

Those members present were Councilmember Rufus Honeycutt, Councilmember George White, Mayor Pro-tem Joe Clifford, Councilmember John Moman, Councilmember Kris Whitfield, and Mayor Alan McGraw. Also present were City Manager, Jim Nuse, Assistant City Manager/CFO David Kautz, Assistant City Manager Cindy Demers and City Attorney Steve Sheets. Councilmember Salinas was absent from this meeting.

[PRESENTATIONS:](#)

[3A. Consider a presentation and discussion regarding the Downtown Master Plan.](#)

Will Hampton, Communications Director led the discussion regarding the draft of the Downtown Master Plan. Jim Stendebach, Planning and Community Development Director, Tom Word, Chief of Public Works, and David Kautz, Assistant City Manager/CFO all assisted in the presentation and provided the Council with valuable information.

[CALL REGULAR SESSION TO ORDER - 7:00 P.M.](#)

Mayor McGraw called the regular session to order at 7:20 P.M.

[PLEDGE OF ALLEGIANCE:](#)

[5A. United States Flag](#)

[5B. Texas State Flag](#)

[CITIZEN COMMUNICATION](#)

Cath Martel, City of Round Rock Parks and Recreation Department recognized two teams that competed in the Texas Amateur Athletic Federation State Volleyball Tournament. One of the teams won first place in the tournament.

Tami Franklin, 1007 Crestview, Round Rock, spoke to the City Council in opposition of the proposed Legacy Field House.

Phyllis McKenzie, 2112 Smoke Tree Trail, Round Rock, spoke to the City Council in opposition of the proposed Legacy Fieldhouse.

Brent Bertrand, 2008 Shadow Brook Circle, Round Rock, spoke to the Council in opposition of the west side rec center being located on the Round Rock High School campus.

APPROVAL OF MINUTES:

[7A. Consider approval of the City Council minutes for May 19, 2009 Special Called Meeting and June 11, 2009 Regular Meeting.](#)

MOTION: Mayor Pro-tem Clifford moved to approve the minutes for May 19, 2009 and June 11, 2009. Councilmember Moman seconded the motion.

<u>VOTE:</u>	Ayes:	Councilmember Honeycutt Councilmember White Councilmember Moman Councilmember Whitfield Mayor Pro-tem Clifford Mayor McGraw
	Nays:	None
	Absent:	Councilmember Salinas

ACTION: The motion carried unanimously.

PRESENTATIONS:

[8A1. Consider a presentation regarding City's Financial Status.](#) Cheryl Delaney, Finance Director made the staff presentation.

PUBLIC HEARINGS:

[9A1. Consider public testimony granting a partial exemption from ad valorem taxes for certain qualified historically significant properties located in the city limits of Round Rock.](#) Joelle Jordan, City of Round Rock Planner made the staff presentation.

Mayor McGraw opened the public hearing.

There being no testimony, the public hearing was closed.

[9A2. Consider public testimony regarding the proposed amendment to Chapter 11, Section 11.502, Code of Ordinances, to prohibit parking of vehicles having a gross vehicle weight rating of 17,000 pounds or more in any residential district, and the C-2, OF and SR zoning districts.](#) Jim Stendebach, Planning and Community Development Director made the staff presentation.

Mayor McGraw opened the public hearing.

There being no testimony, the public hearing was closed.

ORDINANCES:

[10A1. Consider an ordinance determining the necessity and authorizing the condemnation of certain property interests for the proposed N. Mays Extension Project from KBS Industrial Portfolio, LLC. \(First Reading\).](#) Steve Sheets, City Attorney, made the staff presentation.

ORDINANCE NO. \_\_\_\_\_

AN ORDINANCE OF THE CITY COUNCIL FOR THE CITY OF ROUND ROCK, DETERMINING A PUBLIC NEED AND NECESSITY FOR THE ACQUISITION OF A PUBLIC UTILITY EASEMENT INTEREST IN AND ACROSS APPROXIMATELY 0.04 ACRES AND A FEE SIMPLE INTEREST IN AND TO APPROXIMATELY 0.392 ACRES; GIVING NOTICE OF OFFICIAL DETERMINATION TO ACQUIRE SAID PROPERTY TO CONSTRUCT AND MAINTAIN IMPROVEMENTS FOR THE CITY OF ROUND ROCK N. MAYS EXTENSION IMPROVEMENT PROJECT, AND ASSOCIATED PUBLIC USE AND PURPOSES; ESTABLISHING PROCEDURES FOR THE ACQUISITION OF SAID PROPERTY; AUTHORIZING THE CITY ATTORNEY TO FILE PROCEEDINGS IN EMINENT DOMAIN TO ACQUIRE THE NEEDED PROPERTY; AND PROVIDING AN EFFECTIVE DATE.

MOTION: Councilmember Honeycutt moved to approve the ordinance. Councilmember Whitfield seconded the motion.

VOTE:      Ayes:      Councilmember Honeycutt  
                                 Councilmember White  
                                 Councilmember Moman  
                                 Councilmember Whitfield  
                                 Mayor Pro-tem Clifford  
                                 Mayor McGraw  
                 Nays:      None  
                 Absent:      Councilmember Salinas

ACTION: The motion carried unanimously.

MOTION: Mayor Pro-tem Clifford moved to dispense with second reading with the unanimous consent of all the Councilmembers present and to adopt the ordinance.  
  
Councilmember White seconded the motion.

VOTE:      Ayes:      Councilmember Honeycutt  
                                 Councilmember White  
                                 Councilmember Moman  
                                 Councilmember Whitfield  
                                 Mayor Pro-tem Clifford  
                                 Mayor McGraw  
                 Nays:      None  
                 Absent:      Councilmember Salinas

ACTION: The motion carried unanimously.

[10B1. Consider an ordinance adopting the Game Plan 2020: Building an Active Community; The Round Rock Strategic Parks and Recreation Master Plan \(Second Reading\).](#)

Rick Atkins, Parks and Recreation Director made the staff presentation.

ORDINANCE NO. \_\_\_\_\_

AN ORDINANCE ADOPTING A “GAME PLAN 2020: BUILDING AN ACTIVE COMMUNITY; THE ROUND ROCK STRATEGIC PARKS AND RECREATION MASTER PLAN,” WHICH CONSTITUTES THE CITY OF ROUND ROCK’S NEW STRATEGIC PARKS AND RECREATION MASTER PLAN; AND REPEALING ALL CONFLICTING ORDINANCES OR RESOLUTIONS.

MOTION: Councilmember Honeycutt moved to approve and adopt the ordinance.

Councilmember Whitfield seconded the motion.

VOTE:      Ayes:      Councilmember Honeycutt  
                                 Councilmember White  
                                 Councilmember Moman  
                                 Councilmember Whitfield  
                                 Mayor Pro-tem Clifford  
                                 Mayor McGraw  
                 Nays:      None  
                 Absent:      Councilmember Salinas

ACTION: The motion carried unanimously.

[10C1. Consider an ordinance granting a partial exemption from ad valorem taxes for certain qualified historically significant properties located in the City limits of Round Rock. \(First Reading\)](#) Joelle Jordan, Planner made the staff presentation earlier in the evening during the public hearing.

ORDINANCE NO. \_\_\_\_\_

AN ORDINANCE GRANTING A PARTIAL EXEMPTION FROM AD VALOREM TAXES FOR CERTAIN QUALIFIED HISTORICALLY SIGNIFICANT PROPERTIES LOCATED WITHIN THE CITY LIMITS OF ROUND ROCK, TEXAS; PROVIDING FOR A SAVINGS CLAUSE AND REPEALING CONFLICTING ORDINANCES OR RESOLUTIONS.

MOTION: Mayor Pro-tem Clifford moved to approve the ordinance. Councilmember

Moman seconded the motion.

VOTE:      Ayes:      Councilmember Honeycutt  
                                 Councilmember White  
                                 Councilmember Moman  
                                 Councilmember Whitfield  
                                 Mayor Pro-tem Clifford  
                                 Mayor McGraw  
                 Nays:      None  
                 Absent:      Councilmember Salinas

ACTION: The motion carried unanimously.

MOTION: Mayor Pro-tem Clifford moved to dispense with second reading with the unanimous consent of all the Councilmembers present and to adopt the ordinance.

Councilmember Whitfield seconded the motion.

VOTE:      Ayes:      Councilmember Honeycutt  
                                 Councilmember White  
                                 Councilmember Moman  
                                 Councilmember Whitfield  
                                 Mayor Pro-tem Clifford  
                                 Mayor McGraw  
                 Nays:      None  
                 Absent:      Councilmember Salinas

ACTION: The motion carried unanimously.

[10C2. Consider an ordinance amending Chapter 11, Section 11.502, Code of Ordinances, to prohibit parking of vehicles having a gross vehicle weight rating of 17,000 pounds or more in any residential district, and the C-2, OF and SR zoning districts. \(First Reading\)\(Requires Two Readings\).](#) Jim Stendebach, Planning and Community Development

Director made the staff presentation earlier in the meeting during the public hearing.

ORDINANCE NO. \_\_\_\_\_

AN ORDINANCE AMENDING CHAPTER 11, SECTION 11.502, CODE OF ORDINANCES (1995 EDITION), CITY OF ROUND ROCK, TEXAS, REGARDING OFF-STREET PARKING AND LOADING; AND PROVIDING FOR A SAVINGS CLAUSE AND REPEALING CONFLICTING ORDINANCES AND RESOLUTIONS.

MOTION: Councilmember Honeycutt moved to approve the ordinance. Councilmember Whitfield seconded the motion.

VOTE:      Ayes:      Councilmember Honeycutt  
                                 Councilmember White  
                                 Councilmember Whitfield  
                                 Mayor Pro-tem Clifford  
                                 Mayor McGraw  
                 Nays:      None  
                 Absent:      Councilmember Salinas  
                                 Councilmember Moman

ACTION: The motion carried unanimously.

RESOLUTIONS:

[11A1. Consider a resolution authorizing the Mayor to execute a Construction Contract with Fazzone Construction Co., Inc., for the remodeling of the City Hall Business Center Complex.](#) Tom Word, Chief of Public Works made the staff presentation.

**MOTION:** Councilmember Whitfield moved to approve the resolution. Councilmember Honeycutt seconded the motion.

**VOTE:**      Ayes:      Councilmember Honeycutt  
   Councilmember White  
   Councilmember Moman  
   Councilmember Whitfield  
   Mayor Pro-tem Clifford  
   Mayor McGraw  
                 Nays:      None  
                 Absent:      Councilmember Salinas

**ACTION:** The motion carried unanimously.

[11B1. Consider a resolution authorizing the Mayor to execute Amendment No. 1 to the Walsh Ranch Municipal Utility District Water and Wastewater Agreement.](#) Michael Thane, Utilities Director made the staff presentation.

**MOTION:** Councilmember White moved to approve the resolution. Councilmember Whitfield seconded the motion.

**VOTE:**      Ayes:      Councilmember Honeycutt  
   Councilmember White  
   Councilmember Moman  
   Councilmember Whitfield  
   Mayor Pro-tem Clifford  
   Mayor McGraw  
                 Nays:      None  
                 Absent:      Councilmember Salinas

**ACTION:** The motion carried unanimously.

[11C1. Consider a resolution authorizing the Mayor to execute Change Order No. 4 for quantity adjustments with RGM Constructors, L.P. for the Gattis School Road Project.](#) Tom Word, Chief of Public Works made the staff presentation.

**MOTION:** Councilmember Honeycutt moved to approve the resolution. Councilmember Moman seconded the motion.

**VOTE:**      Ayes:      Councilmember Honeycutt  
   Councilmember White  
   Councilmember Moman  
   Councilmember Whitfield  
   Mayor Pro-tem Clifford  
   Mayor McGraw  
                 Nays:      None  
                 Absent:      Councilmember Salinas

**ACTION:** The motion carried unanimously.

[11D1. Consider a resolution authorizing property tax refunds to Baltgem Development Corporation, et al for 2003, 2004, 2006 and 2007 taxes in the amount of \\$104,893.36.](#) Cheryl Delaney, Finance Director made the staff presentation.

MOTION: Councilmember Moman moved to approve the resolution. Councilmember White seconded the motion.

VOTE:      Ayes:      Councilmember Honeycutt  
                                 Councilmember White  
                                 Councilmember Moman  
                                 Councilmember Whitfield  
                                 Mayor Pro-tem Clifford  
                                 Mayor McGraw  
                 Nays:      None  
                 Absent:      Councilmember Salinas

ACTION: The motion carried unanimously.

[11D2. Consider a resolution authorizing the Mayor to execute an engagement letter with Brockway, Gersbach, McKinnon & Neimeier, P.C., Certified Public Accountants, for the City’s 2009 audit.](#) Cheryl Delaney, Finance Director, made the staff presentation.

MOTION: Mayor Pro-tem Clifford moved to approve the resolution. Councilmember Moman seconded the motion.

VOTE:      Ayes:      Councilmember Honeycutt  
                                 Councilmember White  
                                 Councilmember Moman  
                                 Councilmember Whitfield  
                                 Mayor Pro-tem Clifford  
                                 Mayor McGraw  
                 Nays:      None  
                 Absent:      Councilmember Salinas

ACTION: The motion carried unanimously.

Mayor McGraw suggested with the unanimous consent by the Council, for all board and commission appointments, that all applicants be considered and then will vote for all appointments.

APPOINTMENTS:

[12A. Consider 4 appointments to the Planning and Zoning Commission and the Capital Improvements Advisory Committee.](#)

Results from a poll of the Council follow:

Al Kosik	6 Votes	<i>Appointed</i>
Ray Thibodaux	6 Votes	<i>Appointed</i>

Sandy Arnold	6 Votes	<i>Appointed</i>
Celeste Lesmeister	6 Votes	<i>Appointed</i>
Patrick Gove	0 Votes	
Sarah T. Page	0 Votes	
Frank Del Castillo, Jr.	0 Votes	
Bradley A. Schacherl	0 Votes	

[12B. Consider 4 appointments to the Zoning Board of Adjustments.](#)

**MOTION:** Councilmember Whitfield moved to appoint by acclamation Georgi Ann Jasonvec as a regular member, reappoint Keith Hickman and James Hemenes and appoint Patrick Gove as an alternate member to the Zoning Board of Adjustments. Mayor Pro-tem Clifford seconded the motion.

**VOTE:**

Ayes:	Councilmember Honeycutt Councilmember White Councilmember Moman Councilmember Whitfield Mayor Pro-tem Clifford Mayor McGraw
Nays:	None
Absent:	Councilmember Salinas

**ACTION:** The motion carried unanimously.

[12C. Consider 3 appointments to the Historic Preservation Commission.](#)

**MOTION:** Councilmember Whitfield moved to reappoint by acclamation Billy Huggins, Rae Lynn Tipping, and Jerry Hodges to the Historic Preservation Commission. Mayor Pro-tem Clifford seconded the motion.

**VOTE:**

Ayes:	Councilmember Honeycutt Councilmember White Councilmember Moman Councilmember Whitfield Mayor Pro-tem Clifford Mayor McGraw
Nays:	None
Absent:	Councilmember Salinas

**ACTION:** The motion carried unanimously.

[12D. Consider 4 appointments to the Community Development Advisory Commission.](#)

**MOTION:** Councilmember Whitfield moved to appoint by acclamation Dina Schaefer, George Harris, Cedric Scott, and Bradley Schacherl to the Community Development Advisory Commission. Councilmember Moman seconded the motion.

**VOTE:**

Ayes:	Councilmember Honeycutt Councilmember White
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Councilmember Moman  
Councilmember Whitfield  
Mayor Pro-tem Clifford  
Mayor McGraw  
Nays: None  
Absent: Councilmember Salinas

ACTION: The motion carried unanimously.

12E. Consider 3 appointments to the Round Rock Housing Authority.

MOTION: Councilmember Whitfield moved to reappoint by acclamation Ebby Green, Andy Martinez, and Robert Penagos to the Round Rock Housing Authority. Councilmember White seconded the motion.

VOTE:  
Ayes: Councilmember Honeycutt  
Councilmember White  
Councilmember Moman  
Councilmember Whitfield  
Mayor Pro-tem Clifford  
Mayor McGraw  
Nays: None  
Absent: Councilmember Salinas

ACTION: The motion carried unanimously.

12F. Consider 3 appointments to the Building Standards Commission.

Results from a poll of the Council follow:

Brian Morrow	6 Votes	<i>Appointed</i>
Martha Juch	6 Votes	<i>Appointed</i>
Ken Boyer	5 Votes	<i>Appointed</i>
Frank Del Castillo, Jr.	1 Votes	

12G. Consider 4 appointments to the Transportation System Development Corporation.

Results from a poll of the Council follow:

Rufus Honeycutt	6 Votes	<i>Appointed</i>
James Kratz	6 Votes	<i>Appointed</i>
Mike Robinson	6 Votes	<i>Appointed</i>
Alan McGraw	6 Votes	<i>Appointed</i>
Bradley A. Schacherl	0 Votes	

12H. Consider 4 appointments to the Ethics Review Commission.

Results from a poll of the Council follow:

David Akins	6 Votes	<i>Appointed</i>
Efrain Davila	6 Votes	<i>Appointed</i>
Jon Devries	4 Votes	
Bobby Seiferman	4 Votes	
Charles Culpepper	4 Votes	

Cedric Scott                      0 Votes

A second poll was done to break the tie and determine that remaining two appointees.

The poll was only done between the names listed below.

Jon Devries	5 Votes	<i>Appointed</i>
Bobby Seiferman	1 Votes	
Charles Culpepper	6 Votes	Appointed

[12I. Consider 2 appointments to the Capital Improvements Ad-Hoc Advisory Board.](#)

MOTION: Councilmember White moved to reappoint by acclamation Jim Boles and Joe Vining to the Capital Improvements Ad-Hoc Advisory Committee. Mayor Pro-tem Clifford seconded the motion.

VOTE:    Ayes:    Councilmember Honeycutt  
                                 Councilmember White  
                                 Councilmember Moman  
                                 Councilmember Whitfield  
                                 Mayor Pro-tem Clifford  
                                 Mayor McGraw  
                 Nays:    None  
                 Absent:    Councilmember Salinas

ACTION: The motion carried unanimously.

[12J. Consider appointment of an Associate Municipal Judge.](#)

MOTION: Councilmember Honeycutt moved to reappoint by acclamation Sandra Fitzpatrick as an Associate Municipal Judge. Councilmember Whitfield seconded the motion.

VOTE:    Ayes:    Councilmember Honeycutt  
                                 Councilmember White  
                                 Councilmember Moman  
                                 Councilmember Whitfield  
                                 Mayor Pro-tem Clifford  
                                 Mayor McGraw  
                 Nays:    None  
                 Absent:    Councilmember Salinas

ACTION: The motion carried unanimously.

[12K. Consider confirming the City Manager's appointment of 1 member to the Civil Service Commission.](#)

MOTION: Councilmember Moman moved to confirm the City Manager's reappointment of Gisele Schaefer to the Civil Service Commission. Councilmember Whitfield seconded the motion.

VOTE:    Ayes:    Councilmember Honeycutt  
                                 Councilmember White

Councilmember Moman  
Councilmember Whitfield  
Mayor Pro-tem Clifford  
Mayor McGraw

Nays: None  
Absent: Councilmember Salinas

ACTION: The motion carried unanimously.

[COUNCIL COMMENTS](#)

[ADJOURNMENT](#)

There being no further business, the meeting adjourned at 9:02 P.M.

Respectfully Submitted,

Sara L. White, City Secretary